

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

---

|   |   |                        |
|---|---|------------------------|
| MARIBEL BAEZ; FELIPA CRUZ;                      | : |                        |
| R.D., ON BEHALF OF HER MINOR CHILD, A.S.;       | : |                        |
| on their own behalf and on behalf of all others | : |                        |
| similarly situated; UPPER MANHATTAN             | : |                        |
| TOGETHER, INC.; and SOUTH BRONX                 | : |                        |
| CHURCHES SPONSORING COMMITTEE, INC.,            | : | No. 13 Civ. 8916 (WHP) |
| <i>Plaintiffs,</i>                              | : | ECF Case               |
| v.  | : | Rule 23(e) Order       |
|   | : | (Proposed)             |
| NEW YORK CITY HOUSING AUTHORITY,                | : |                        |
| <i>Defendant.</i>                               | : |                        |

---

**ORDER SCHEDULING FAIRNESS HEARING AND APPROVING NOTICE PURSUANT  
TO RULE 23(e)**

WHEREAS, this action was brought as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure;

WHEREAS, counsel for plaintiffs and counsel for defendant have entered into a Stipulation and Order of Settlement (“Settlement”) which, if approved by the Court, would dispose of the claims made in this action by plaintiffs; and

WHEREAS, plaintiffs moved the Court, pursuant to Rule 23(e)(1)(c) of the Federal Rules of Civil Procedure, for approval of the proposed Settlement, for a hearing thereon, and for authorization of notice of the hearing to be provided to members of the class;

NOW, THEREFORE, IT IS ORDERED THAT:

1. A hearing pursuant to Rule 23(e) of the Federal Rules of Civil Procedure shall be held before the undersigned on \_\_\_\_\_, for purposes of determining whether the

proposed Settlement is fair, reasonable, and adequate, and should be approved by the Court. The hearing shall take place before the Honorable William H. Pauley III, U. S. District Court, Southern District of New York, Courtroom 20B, 500 Pearl Street, New York, NY 10007, and will begin at \_\_\_\_\_. The hearing may be adjourned or continued from time to time without further notice.

2. Annexed as Exhibit A is the Notice of Proposed Settlement of Class Action Concerning the Rights of People Who Have Asthma and Live in NYCHA Housing Units to Reasonable Accommodations with Respect to Mold and Moisture. The Notice is hereby approved.

3. At least twenty-five (25) days prior to the hearing, Defendant shall cause the Notice, in English, Spanish, Chinese, and Russian to be (a) posted in the lobby of housing units that it owns and/or operates and in such other locations that class members are reasonably likely to see. The Notices posted in these locations shall be 8.5" x 11" or 8.5" x 14," if necessary (b) mailed to all NYCHA residents with the February 2014 rent bills; and (c) posted on its web site at [http://\\_\\_\\_\\_](http://____). Defendant shall provide plaintiffs' counsel with electronic copies of the notices in English, Spanish, Chinese, and Russian sent by e-mail, which plaintiffs and their counsel may post to their websites and distribute to other legal services providers and community based organizations that serve the plaintiff class and request that those organizations post the Notice.

4. Any member of the plaintiff class may appear at the aforesaid hearing on \_\_\_\_\_ at \_\_\_\_\_, in person or by counsel, and object to the Settlement or give reasons why the proposed settlement should not be approved as fair, reasonable, and adequate.

5. Any member of the plaintiff classes may also object to or comment on the Settlement by submitting objections in writing. Objections or comments must be post-marked by

\_\_\_\_\_(insert 5 days before the hearing date listed in paragraph 1 above), to the Court at the address listed above.

Dated: \_\_\_\_\_  
New York, New York

---

William H. Pauley III  
United States District Court Judge